Appl. No.: 10/655,222
Amendment dated February 15, 2007
Office Action dated November 15, 2006

Docket No.: 0951-0126P
Page 3 of 6

REMARKS

Claims 1-8 are pending in this application. Claim 1 is the only independent claim.

By this amendment, a new Abstract of the Disclosure is attached herewith.

Reconsideration in view of the above amendments and following remarks is respectfully solicited.

The Claims Define Patentable Subject Matter

The Office Action makes the following rejections:

(1) claims **1-3** and **8** are rejected under 35 U.S.C. §103(a) as being unpatentable over the admitted prior art (hereafter APA Fig. 5) in view of U.S. Patent No. 6,256,390 to Okuyama et al. (hereafter Okuyama) and U.S. Patent Application Publication No. US 2002/0152341 to Bennet (hereafter Bennet);

(2) claim **4** is rejected under 35 U.S.C. §103(a) as being unpatentable APA Fig. 5 in view of Okuyama and Bennet (please note that the Office Action inadvertently left this cite out) and further in view of U.S. Patent No.5,831,565 to Akune (hereafter Akune);

(3) claim **5** is rejected under 35 U.S.C. §103(a) as being unpatentable APA Fig. 5 in view of Okuyama and Bennet (please note that the Office Action inadvertently left this cite out) and further in view of Akune and U.S Patent Application Publication No. US 2004/0033057 to Kojo et al. (hereafter Kojo);

(4) claim **6** is rejected under 35 U.S.C. §103(a) as being unpatentable APA Fig. 5 in view of Okuyama and Bennet (please note that the Office Action inadvertently left this cite out) and further in view of Akune and U.S Patent No. 6,446,476 to Wong et al. (hereafter Wong); and

(5) claim **7** is rejected under 35 U.S.C. §103(a) as being unpatentable APA Fig. 5 in view of Okuyama and Bennet (please note that the Office Action inadvertently left this cite out) and further in view of U.S Patent Application Publication No. US 2002/0000831 to Smith (hereafter Smith).

These rejections are respectfully traversed.

Appl. No.: 10/655,222
Amendment dated February 15, 2007
Office Action dated November 15, 2006

Docket No.: 0951-0126P
Page 4 of 6

Applicants respectfully submit that the combination of APA Fig. 5, Okuyama and Bennet fails to teach or suggest each and every feature as set forth in the claimed invention.

For example, the Examiner concedes that both APA Fig. 5 and Okuyama fail to disclose one or more bus management means that co-manages one or more signal buses which are respectively connected externally to at least a portion of the plurality of ports. (see Office Action, page 3). However, in an attempt to show this feature, the Examiner imports Bennet.

Specifically, the Examiner alleges that Bennet's Fig. 1 discloses one or more bus management means in element 16 that co-manages one or more signal buses which are respectively connected externally to at least a portion of the plurality of ports. (see (Office Action, page 4). Applicants respectfully disagree with this allegation.

For example, Applicants submit that Bennet merely discloses a serial bus manager 16 that controls bus performance for "a three-layered system". In other words, Bennet discloses a three-layered system that includes a (1) physical layer, (2) a link layer, and (3) a transaction layer. Each of these layers are interconnected via a common serial bus, i.e., a 1394 bus. As such, Bennet's bus management block 16 provides the basic control functions and manages the *common bus* resources. (see Bennet, paragraph [0004]).

However, in contrast with the present invention, Bennet fails to disclose a bus management means that manages one or more signal buses that are respectively *connected externally to at least a portion of the plurality of ports*. Instead, Bennet's bus management block only focuses on an internal common bus, i.e., bus 1394. No external ports are disclosed in Bennet's Fig. 1. Furthermore, Bennet Fig. 1 fails to disclose one or more signal buses that are connected to such external ports. As such, Bennet's bus management block 16 cannot manage externally connected buses. The only buses managed by Bennet's bus management block 16 is the internal buses that go between a plurality of nodes (representing the layers) coupled to the serial bus. A port signifies an external connection. The nodes in Bennet fail to be connect to any external terminals.

For at least the reasons noted above, Applicants submit that the combination of APA Fig. 5, Okuyama, and Bennet fail to teach or suggest each and every feature as set forth in the present invention.

Furthermore, Applicants submit that each of Akune, Kojo, Wong and Smith all fail to make up for the deficiencies noted in Bennet.

Applicants respectfully submit that neither of the cited art, taken singularly or in combination, (assuming these teachings may be combined, which Applicants do not admit) teach or suggest a bus management means that manages one or more signal buses that are respectively *connected externally to at least a portion of the plurality of ports*.

To establish a *prima facie* case of Obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on Applicant's disclosure. *In re Vaeck,* 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). See MPEP 706.02(j).

Applicants respectfully submit that the Examiner has failed to establish a *prima facie* case of obviousness at least in part because the Examiner has failed to show how each and every feature is taught by the cited art.

Applicant respectfully submits that the Examiner has failed to show any suggestion or motivation from either the references themselves or in the knowledge generally available to one of ordinary skill in the art why it would be proper to combine the cited references. Instead, the Examiner is merely relying on improper hindsight.

Applicants respectfully submit that independent claim 1 is allowable over the combination of APA Fig. 5, Okuyama and Bennet for at least the reasons noted above.

Appl. No.: 10/655,222
Amendment dated February 15, 2007
Office Action dated November 15, 2006

Docket No.: 0951-0126P
Page 6 of 6

As for each of the dependent claims not particularly discussed above, these claims are also allowable for at least the reasons set forth above regarding their corresponding independent claims, and/or for the further features claimed therein.

Accordingly, withdrawal of the rejections of claims 1-8 under 35 U.S.C. §103(a) is respectfully requested.

Conclusion

In view of the foregoing, Applicants respectfully submit that the application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact Carolyn T. Baumgardner (Reg. No. 41,345) at (703) 205-8000 **to schedule a Personal Interview**.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment from or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17; particularly, the extension of time fees.

Dated: February 15, 2007

Respectfully submitted,
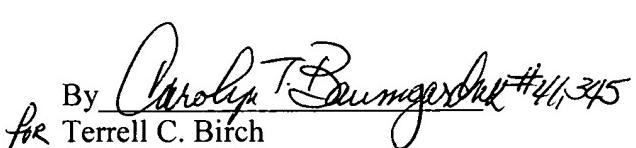
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Attachment: Abstract of the Disclosure